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RUEHBY/AMEMBASSY CANBERRA 1964
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RUEHUL/AMEMBASSY SEOUL 9035
RUEHKO/AMEMBASSY TOKYO 6611
RUEAIIA/CIA WASHDC
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 4427
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 2418
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000291

SIPDIS

DEPT FOR CA/OCS; STATE FOR EAP AND IO; PACOM FOR FPA

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TAGS: [CASC](#) [PGOV](#) [PHUM](#) [PREL](#) [PINR](#) [BM](#)

SUBJECT: BURMA: CDA MEETS WITH FOREIGN MINISTER; DAY TWO
OF AUNG SAN SUU KYI/YETTAW TRIAL

REF: RANGOON 288

Classified By: P/E Chief Jennifer Harhigh for Reasons 1.4 (b) & (d)

Summary

1. (C) CDA met today with Foreign Minister Nyan Win to press for ASSK's release and for direct consular access to Amcit John Yettaw. Nyan Win defended the legal process against ASSK and asked what the U.S. is willing to give in return for her release. He made no commitment on Yettaw but is clearly following the details of his case. At the May 19 court proceedings against ASSK, her two aides, and Yettaw, prosecutors questioned, and defense lawyers cross-examined, six witnesses, primarily security officers of various rank. Questions focused on the circumstances surrounding Yettaw's arrest and the inventory of his personal possessions. Consul was again granted access. Approximately 150 people, including NLD Central Executive Committee member Win Tin and other NLD members, gathered for a second day at a market near Insein prison. Security around the prison is extremely tight, with vast numbers of police. Bloggers are active in discussing the trial, and the state press for the first time detailed the government's account in both Burmese and English. End summary.

Foreign Minister to Charge: What Will the U.S. give for ASSK's release?

2. (C) Charge met with Foreign Minister Nyan Win in Nay Pyi Taw May 19 to raise U.S. concerns about the trial against ASSK and to press for her immediate release. The FM focused his initial response on the particulars of the case, noting that laws were broken and that the legal process had to run its course and would determine ASSK's guilt or innocence. The Charge reiterated the importance of ASSK's release and noted the political implications of the regime's latest move against ASSK, including its effect on the bilateral relationship. In response, Nyan Win asked what steps the United States is willing to take in return for ASSK's release. He noted the regime had freed ASSK twice before and gained nothing in return, and he asked how the GOB would know things would be different this time. Charge promised to

relay the question to Washington.

13. (C) The Charge also emphasized the need for ongoing and direct consular access to Yettaw, stressing our concerns about Yettaw's health. The FM was personally aware of Yettaw's health problems -- he briefed the CDA that Yettaw had drank some juice earlier in the day -- but did not offer any commitment. Additional details on the Charge's meeting with the Foreign Minister will follow septel.

ASSK/Yettaw Trial Picks up Pace

14. (SBU) Consul and Senior Consular FSN attended the May 19 session of the trial against Yettaw, ASSK, and ASSK's two live-in aides. All four defendants and their lawyers were present for the four-and-a-half hour hearing, during which prosecutors questioned six witnesses, including officials from the Ministry of Immigration, Ministry of Home Affairs, and the police, including Special Branch (SB). Defense attorneys were allowed to cross-examine the witnesses. Questions focused on the particulars of Yettaw's arrest and the inventory of his personal possessions. The trial will resume May 20.

Yettaw's Condition

15. (SBU) Yettaw appeared alert but Consul did not have an

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opportunity to speak privately with him. According to the special doctor assigned to Yettaw -- a specialist from the Yangon General Hospital, not a prison doctor -- Yettaw needs heart tests, but the doctor noted that such tests are not possible while Yettaw is fasting. The physician told Consul that Yettaw is on day twelve of his fast and has lost 35 pounds thus far; he said Yettaw did take vitamins and electrolytes that day. The doctor was aware of Yettaw's post-traumatic stress disorder and said if symptoms get worse a psychiatric consult can be arranged. Post sent a diplomatic note May 19 expressing concern about Yettaw's health conditions and requesting immediate consular access to Yettaw during the trial.

ASSK Consults with Lawyers

16. (C) ASSK appeared fine, although Consul noted she was wearing the same clothes as the day before. Consul observed that ASSK had approximately 10 minutes to consult privately with her legal team on the margins of the proceedings. ASSK was clearly calling the shots as the attorneys nodded their heads in agreement.

NLD Members Gather Again near Prison in Solidarity

17. (SBU) Embassy contacts reported approximately 150 people, including NLD Central Executive Committee member Win Tin and other NLD members, gathered again near the Insein Market approximately a quarter mile from Insein prison. Witnesses told us they observed an increased number of plainclothes security personnel in the market. Closer to the prison, Consul observed vast numbers of security personnel lining the street leading to the main gate. In the rest of Rangoon, RSO reported that police presence was normal.

18. (C) In the meantime, local bloggers are angry and active, with posts calling for people to sit in front of their doorsteps in silent protest during the hours court is in session, to tear up newspapers that insult ASSK by referring to her as a defendant, to gather in flash mobs in various locations, and to burn buses in protest. We have seen no evidence of such activities but are reaching out to

democracy activists to assess the potential for such protests to erupt.

Government Press Coverage of Trial

19. (U) The government mouthpiece New Light of Myanmar published an article in both its English and Burmese versions May 19 detailing in technical terms the GOB's case and charges against Yettaw, ASSK and her two assistants. The article names the officers involved in filing the charges, as well as the defense lawyers.

DINGER